

Approved 11/5/08

**TOWN OF CUSHING
PLANNING BOARD
Minutes of Meeting
October 1, 2008**

Board Present: Chairman Dan Remian, David Cobey, Bob Ellis, Evelyn Kalloch, Frank Muddle, CEO Scott Bickford and Recording Secretary Deborah Sealey

Absent: None

1.Call to Order: Chairman Remian called the meeting to order at 6:35 P.M. A roll call was taken and a quorum declared.

2. Approve the Minutes of 9/4/08:

ACTION: Mr. Cobey made a motion, seconded by Mrs. Kalloch, to accept the minutes of the 9/4/08 meeting as written.
Carried 5-0-0

3. Application for Driveway Entrance at Spring Lane, Partially in Shoreland Zone, Presented by Mark Ames, Map 7, Lots 36 & 37: Mark Ames stated that Spring Lane was a half mile in from Pleasant Point Road and, following the waterline, passed two residences before his. Mr. Ames explained that the road went between James Lynch's house and garage, which had prompted Mr. Lynch to ask his neighbors to agree to move the road further from the water. Mr. Ames said the proposed relocation of the road would be largely out of the Shoreland Zone [SZ] and the ground was drier in that area.

CEO Bickford said that Lynch and Holland had met with the DEP's Rich Baker, who had seen no problem with the plan. The projected disturbance was 4,300 Sq. Ft., though not in the SZ. Mr. Ames said that the new road would be on ledge behind the pond and would travel through Lots 36 (Lynch) & 37 (Page) to reach his Lot 38. Mr. Cobey asked why the ROW was 30' wide and Mr. Ames said he and Mr. Page had requested that much as a private easement in their favor.

Mr. Ellis asked if the CEO and Mr. Baker had determined that it was all outside the SZ. CEO Bickford said he and Mr. Baker had not been there at the same time but said it was the wetlands, rather than SZ, that posed the problem. He said there was a 35' section that was listed on the Land Use Table as requiring PB approval. Mr. Ellis said that Mr. Page's property was zoned Limited Residential, which was why this was before the PB.

ACTION: Mr. Cobey made a motion, seconded by Mr. Ellis, that because of the minimal nature of the impact, we approve the application.
Carried 5-0-0

Mr. Bickford said he would issue the permit with the condition that the Selectmen would have to approve the entrance off Stone Point Road. Joe Carr said the town had requested that the state lower the speed limit on Stone Point Rd. from 45mph to 25mph.

4.Subdivision Regulations to be Discussed by Planning Board, Presented by Chairman Dan Remian: Mr. Remian said he wanted the Board to look at the regulations to be sure they contained everything necessary to handle challenges. Mr. Ellis clarified that the Board was discussing the December 2007 version of the Cushing Subdivision Regulations.

CEO Bickford suggested to the Board that the Ordinance Committee could help with this from a different perspective. He also urged the PB to make a distinction between major and minor subdivisions, with relaxed standards for minor. The CEO said the regulations encompassed more pages than were necessary and suggested making a list of the requirements, making the regulations more accessible to the layman. Mr.

Cobey asked the CEO if he had a model in mind. Mr. Bickford said Rockport's ordinance was very thorough while Cushing's was similar to that of Owls Head, which was headed for trouble.

Mr. Remian said he had asked Mr. Cobey to work on ditching and had asked Mr. Bickford for comments, though this was a workshop issue. Mr. Remian said he wanted submittals to be checked off by the CEO and he thought the Board should determine when a change was simply an amendment and when it became a revision; he felt revisions should be at the request of the PB.

Mr. Ellis said he was not too happy with the idea of the Ordinance Committee working on the Subdivision Regulations. Mr. Cobey said the Board could have Midcoast Regional Planning look at its proposed changes. The CEO said Owls Head had done this. Mr. Cobey noted that Eric Gallant (MCRP) was not a practicing planner and Mr. Ellis said he would be good for conceptual ideas, but not details. Mr. Cobey said the best plan would be to have a professional planner review the document, but this would cost money. He said it was a decent document, but needed tweaking in order for the PB to be prepared for the next difficult application.

Mr. Remian asked if it were more important to do that or to clarify the SZ application process. Mr. Bickford said the latter was more important and he thought it could be done in-house if the Board could find the time. Mr. Muddle asked if consideration had been given to a part-time planner. The chairman said it had been looked into and no one was interested in part-time work. Mr. Ellis said he thought it would be overkill considering the normal number of PB applications.

5. Old Business: Mr. Remian said the findings and conclusions of the February denial of Robbins Mountain Subdivision had been documented in February and attorney Amanda Meader had said they should be sent to Mr. Tower, even though the question was moot. The Board took the time to read the document the chairman presented. Mr. Muddle said he thought it looked good. Mr. Remian said Ms. Meader had reviewed and tweaked the findings. The chairman asked the PB members to sign two documents: the original 3/5/08 and the 10/1/08 version. The members signed.

6. New Business: There were brief comments on Land Use Permit submissions.

Joe Carr asked for the latest set of drawings Mr. Tower had put together and Mr. Remian said he would get them from the Registry of Deeds and put copies in the town office. Mr. Carr asked if there had been a final decision on Lot 26 in Gaunt Neck Subdivision. Mr. Remian said there had not because it was impossible to build the road to spec because there was too much slope. Mr. Muddle explained that the lot was approved with the condition that the road specs be met.

Patrick Cardone said the newspaper notice concerning the first Machias Savings Bank auction had recognized his line on the hammerhead peninsula, as had Trazone's papers.

Mr. Cobey asked the status of the mapping and the chairman said a set of maps to review would be available by the middle of the month. Aerial Mapping & Surveying would train the town on how to use the computer program; they would be able to do overlays.

8. Adjournment:

ACTION: Mr. Muddle made a motion, seconded by Mr. Cobey, to adjourn at approximately 7:37 P.M.
Carried 5-0-0

Respectfully submitted,

Deborah E. Sealey
Recording Secretary